

MEMO ENDORSED

Richard B. Lind
Attorney At Law
575 Lexington Avenue – 4th Floor
New York, NY 10022
Telephone: (212) 888-7725 Email: rlind@lindlawyer.com

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May 7, 2020

VIA ECF

Hon. Valerie E. Caproni
United States District Judge
U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: United States v. Javier Lopez
10 Cr. 367 (VEC)

Dear Judge Caproni:

I am the CJA attorney for Javier Lopez, a defendant in the above-referenced matter. This letter requests permission to expend CJA funds to hire an associate attorney, Jacob Mitchell, Esq., to assist me in preparing and writing a bail application if warranted, and to continue to assist me with any further duties in this case.

As can be seen in his attached resume, Mr. Mitchell graduated law school in 2010. Since that time, he has acquired extensive skills in document review, and in preparation for and assistance at federal criminal trials. From August 2010 to December 2014, he worked at DeNovo Legal as an Electronic Discovery Attorney. Additionally, Mr. Mitchell has been approved by District Judges to assist CJA attorneys in numerous criminal trials in this District, as well as one criminal trial in the Eastern District.

Specifically, Mr. Mitchell was appointed to assist CJA attorneys Kenneth Paul, in *United States v. McDow*, 15 Cr. 233 (PGG)(SDNY) and *United States v. Ryan Quashie*, 14 CR 376 (BMC)(EDNY); Allan Haber, in *United States v. Weisberg*, before Judge Analisa Torres; and Stephanie Carvlin, in *United States v. Marcel Harris*, before former Judge Forrest in this District in which Mr. Mitchell assisted in document review. All three attorneys have reported that they found Mr. Mitchell's work to be excellent.

Based on this background, I sought and obtained permission from Judge Vernon S. Broderick, for Mr. Mitchell to assist me as associate counsel in *United States v. Dean*

Jones, et al., 15 Cr. 153 (VSB). Trial in that case was scheduled for April 17, 2017, but our client pleaded shortly before trial commenced. (A co-defendant proceeded to trial.) Mr. Mitchell's assistance -- particularly with respect to organization of discovery materials and "3500" materials -- was excellent. In addition, among other matters, Mr. Mitchell assisted me in *United States v. Branch*, 17 Cr. 64 (CS) before Judge Seibel, which resulted in a favorable plea.

I respectfully request this Court to assign and approve Mr. Mitchell to work on this case as my associate. Using Mr. Mitchell to do this work and assist me both in advance of and during any possible trial will be more cost-effective since Mr. Mitchell will bill at an hourly rate of \$90, whereas I will be billing at an hourly rate of \$152.

Thank you for the Court's consideration of this application.

Respectfully submitted,

/s/

Richard B. Lind

Enclosure

cc: All Counsel (by ECF)

Application GRANTED in part. No trial is possible in this case as Mr. Lopez is a convicted defendant. Mr. Mitchell is approved to work on this case for 25 hours.

SO ORDERED.



5/7/2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

Jacob B. Mitchell

341 Eastern Parkway, Apt. 3F, Brooklyn, NY 11216 - (540) 273-3400 - jacobbarclaymitchell@gmail.com

EDUCATION

New York Law School, J.D., May 2010

- Admission - New York State, SDNY, EDNY

Fordham University, May 2005

- Graduate School of education

Bard College, B.A., Political Science, May 2004

- Awarded - Certificate of Intensive Study at Bard Globalization and International Affairs Program.

EXPERIENCE

The Law Office of Allan Haber- Stephanie Carvlin- Kenneth Paul- Richard Lind-Eric Sears, December 2014-Present

Federal Criminal Defense Attorney

- Second chair on Hobbs Act Robbery trial, cross-examined cell tower expert.
- Make court appearances from pretrial conferences to violations of supervised release.
- Manage, organize and index electronic discovery in federal criminal cases.
- Interview clients and present relevant evidence at co-defendant meetings.
- Perform legal research, writing and trial preparation.

De Novo Legal, August 2011-December 2014

Electronic Discovery Attorney

- Conducted electronic discovery from first level review to production.
- Participated in weekly client briefings.
- Responsible for making determinations regarding document relevancy, responsiveness, confidentiality, attorney-client privilege and attorney work product.
- Redacted confidential and privileged information, created privilege log to justify legal basis of privilege to judge as well as identify potential unforeseen issues that might arise in depositions.

Brooklyn Bar Association Volunteer Lawyer Program, July 2011-December 2014

Foreclosure Defense Attorney

- Represented homeowners in foreclosure proceedings.
- Provided counsel and guidance to clients facing the loss of their home.
- Prepared applications for mortgage modifications.
- Conducted negotiations and mediations to attain mortgage modifications for clients.
- Adept in foreclosure prevention and settlement conference procedure.

New York State Courts Access to Justice Program, February 2011-April 2011

Public Service Graduate Fellow for Consumer Credit Project

- Appeared before judges, interviewed and prepared clients.
- Filed for discovery orders and hearings to contest adequacy of service.
- Negotiated with opposing counsel and finalized settlement agreements favorable to clients.

New York State Supreme Court, May 2009-November 2009

Law Clerk for the Honorable Emily Jane Goodman

- Drafted memoranda and opinions on myriad legal questions for the Judge.
- Conducted pre-trial conferences, led settlement conferences and assisted the Judge at trial.
- Ensured attorneys complied with court rules concerning settlements.
- Performed legal research for cases on Judge Goodman's docket.

Kennedy, Jennik & Murray P.C., May 2008-August 2008

Law Clerk

- Drafted complaints, answers, arbitration briefs and amendments to pension trusts.
- Researched and prepared memoranda on state and federal labor law cases.
- Supported partners at client interviews, client meetings, negotiations and arbitrations.
- In charge of summarizing and highlighting legal changes relating to the Delphi bankruptcy.
- Assisted in negotiations with Delphi to implement reorganization plans.

Office of Manhattan Borough President Scott Stringer, October 2006-March 2007

Communications Department

- Tracked press coverage, compiled press packets and planned for Community Board meetings.
- Digitized and expanded database of media sources used by the communications department.

Middle School Teacher, P.S. 334 and M.S. 245, September 2004-June 2006.

- Taught 6th and 7th grade biology, chemistry and physics and 8th grade Earth Science.